

DOJ Provides Additional Guidance and Clarity Regarding Its Evaluation of Corporate Compliance Programs

May 7, 2019 | Client Update

On April 30, 2019, Assistant Attorney General Brian Benczkowski of the Criminal Division of the Department of Justice (“DOJ”) announced an updated version of the Criminal Division’s Evaluation of Corporate Compliance Programs (the “2019 Guidance”). The 2019 Guidance is intended to assist DOJ prosecutors in determining the appropriate resolution in a criminal case by evaluating the effectiveness of a company’s compliance program both at the time of the relevant conduct and at the time of a charging decision or resolution. The additional guidance makes clear that DOJ continues to place great emphasis on the evaluation of the effectiveness of a company’s compliance program in the context of determining an appropriate resolution to an investigation.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

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